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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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GUNNISON MCKAY & HODGSON, LLP
1900 GARDEN ROAD
SUITE 220
MONTEREY, CA 93940

EXAMINER	
MASKULINSKI, MICHAEL C	
ART UNIT	**PAPER NUMBER**
2113	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/066,170	'T HOOFT ET AL.	
	Examiner	Art Unit	
	Michael C. Maskulinski	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-6,8-10,12-14,16-18 and 20* is/are rejected.

7)☒ Claim(s) *3,7,11,15 and 19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/27/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Non-Final Office Action

Claim Rejections - 35 USC § 112

1. In view of the recent amendments, the rejection of claims 3, 7, 11, 15, and 19, under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, has been withdrawn.

Specification

2. Claim 1 is objected to because of the following informalities: in claim 1, lines 7-8, "on a host were a bug occurred" should be "on a host where a bug occurred" and lines 15-16, "on said host were said bug occurred" should be "on said host where said bug occurred".

3. Claim 13 is objected to because of the following informalities: in claim 13, lines 7-8, "on a host were a bug occurred" should be "on a host where a bug occurred" and lines 15-16, "on said host were said bug occurred" should be "on said host where said bug occurred".

4. Claim 17 is objected to because of the following informalities: in claim 13, lines 9-10, "on a host were a bug occurred" should be "on a host where a bug occurred" and lines 17-18, "on said host were said bug occurred" should be "on said host where said bug occurred". Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1, 2, 4-6, 8-10, 12-14, 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Meier et al, U.S. Patent 6,058,393.

Referring to claims 1, 13, and 17:

a. In column 8, lines 55-65, Meier et al. disclose that to locate a debugger, a tool locator mechanism is used. To locate a debugger, the tool locator can identify a machine and a port within a machine. Further, in column 16,lines 46-56, Meier et al. disclose a debugger client application program interface (requesting, using a Support Interface Module, a bug submission service from a first support host).

b. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (said debug submission service having (i) a list of data to be collected on a host where a bug occurred).

c. In column 8, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine ((ii) a support host return address).

d. In column 5, lines 63-65, Meier et al. disclose that the tool locator will return a session list which is a list of all debuggers that meet the search criteria requested (said first support host having a support services resource wherein said Support Interface Module is on said host where said bug occurred; and said Support Interface Module is for communicating with said first support host).

e. In column 5, lines 58-60, Meier et al. disclose that the tool locator returns a communication endpoint address of a desired debugger so that a connection can be established with the debugger (receiving, on said host, said requested bug submission service, from said first support host, including (i) said list of data to be collected on said host where said bug occurred and (ii) said support host return address).

f. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (collecting data, on said host, based on said list of data to be collected).

g. In column 8, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (sending said collected data from said host to said support host return address using said Support Interface Module on said host).

Referring to claims 2, 6, 10, 14, and 18, in column 5, lines 55-65, Meier et al. disclose that tool locator returns a session list, which is a list of all debuggers that meet the search criteria requested. Each debugger has a corresponding address (said support services resource further comprises a directory of support host addresses).

Referring to claims 4, 16, and 20, in column 8, lines 50-62, Meier et al. disclose a debugger client can then send a message to request debugging services for itself or for another program running on the network. It does this by first sending a message to the

tool locator to locate a debugger server specified by the debugger client. The tool locator will return the socket address of a debugger server that matches the debugger client's specification (receiving said debug submission service request by the support interface module). The debugger client then sends a "debugIt" message to the debugger server to request debugging service from the debugger server (establishing overall control of said bug submission service request process; generating at least one session for said bug submission service request; initializing communication control of said bug submission service request process). The debugger server will then attach a monitor/controller to the debugee (generating at least one transport for the al least one session; and transmitting and/or receiving data via the at least one transport).

Referring to claims 5 and 9:

a. In column 8, lines 55-65, Meier et al. disclose that to locate a debugger, a tool locator mechanism is used. To locate a debugger, the tool locator can identify a machine and a port within a machine. Further, in column 16,lines 46-56, Meier et al. disclose a debugger client application program interface (a receiver, on a host, for receiving, from a first support host, a bug submission service).

b. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (having (i) a list of data to be collected on said host after a bug occurred).

c. In column 8, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (and (ii) a support host return address).

d. In column 5, lines 63-65, Meier et al. disclose that the tool locator will return a session list which is a list of all debuggers that meet the search criteria requested (said first support host having a support services resource wherein said receiver uses a Support Interface Module for said receiving; said Support Interface Module is on said host where said bug occurred; and said Support Interface Module is for communicating with said first support host).

e. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (a collector, on said host, coupled to said receiver for collecting data, from said host, based on said list of data to be collected).

f. In column 8, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (a sender, on said host, coupled to said collector for sending said collected data to said support host return address using said Support Interface Module).

Referring to claims 8 and 12, in column 8, lines 50-62, Meier et al. disclose a debugger client can then send a message to request debugging services for itself or for another program running on the network. It does this by first sending a message to the

tool locator to locate a debugger server specified by the debugger client. The tool locator will return the socket address of a debugger server that matches the debugger client's specification (a session handler for receiving a user request from a bug submission module and for controlling the activities of said Support Interface Module). The debugger client then sends a "debugIt" message to the debugger server to request debugging service from the debugger server (at least one session generated the session handler for processing said user request). The debugger server will then attach a monitor/controller to the debugee (a transport handler initialized by said at least one session for managing communications with said first support host; and at least one transport generated by said transport handler for communication of said at least one session with said support services resource).

Allowable Subject Matter

7. Claims 3, 7, 11, 15, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments filed February 16, 2006 have been fully considered but they are not persuasive.

9. On page 10, under the section REMARKS, regarding the Revocation and Substitution of Power of Attorney, the Examiner has notified the respective person of the situation and hopes that the issue will be resolved.

10. On page 12, under the section REMARKS, the Applicant argues, "Thus, the host in Claim 1 requests a bug submission service and does not send criteria for a desired debugger as in Meier. Further, the requested service has a list of data to be collected on the host where a bug occurred, which is not a list of debuggers. In Meier, the criteria specifying the properties of the desired debugger are sent prior art to the occurrence of a bug. These facts alone are sufficient to distinguish over Meier." The Examiner respectfully disagrees. Requesting a debugger is the same as requesting a bug submission service. In column 5, lines 38-54, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, and thread ID. Also included is the information necessary for the debugger to attach a monitor/controller to the user's program as well as the instruction address in the user's program where the debugging session should begin. This is a list of data to be collected. Further, nowhere is it taught by Meier that a request for a debugger is sent before a bug occurs and the Examiner requests that the Applicant show where this is taught.

11. On page 13, under the section REMARKS, the Applicant argues, "The tool locator of Meier does not return a list of data to be collected on the host as recited in Claim 1, but rather a list of debuggers. A list of debuggers fails to teach anything concerning a list of data to be collected on the host. The Examiner respectfully disagrees. In column 5, lines 38-54, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, and thread ID. Also included is the

information necessary for the debugger to attach a monitor/controller to the user's program as well as the instruction address in the user's program where the debugging session should begin. This is a list of data to be collected.

12. On page 13 under the section REMARKS, the Applicant argues, "Making a dynamic connection between the program and a debugger as in Meier fails to teach exactly the collecting and send operations of Claim 1." The Examiner respectfully disagrees for at least the rejection given above. Further, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

13. The arguments, on pages 13-15 under the section REMARKS, regarding claims 2, 4-6, 8-10, 12-14, 16-18, and 20 have already been addressed above. The Examiner directs the Applicant's attention there.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Maskulinski whose telephone number is (571) 272-3649. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael C Maskulinski
Examiner
Art Unit 2113